

SHANKS & HERBERT

Intellectual Property Advocates

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March 7, 2002

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Assistant Commissioner for Patents
Washington, DC 20231

Re: U.S. Utility Patent Application
Appl. No. 09/513,997; Filed: February 25, 2000
For: **Compositions and Methods for Non-Targeted Activation of Endogenous Genes**
Inventors: Harrington *et al.*
Our Ref: 0221-0003Q

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Sir:

Transmitted herewith for appropriate action are the following documents:

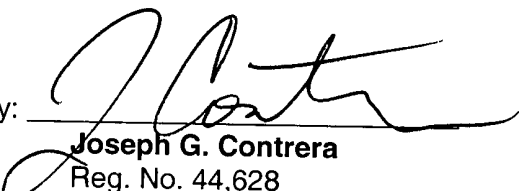
1. Revocation In-Part of Document Filed June 22, 2000, entitled "Revocation of Prior Power of Attorney and Appointment of New Attorneys of Record;"
2. A copy of the Revocation of Prior Power of Attorney and Appointment of New Attorneys of Record filed on June 22, 2000;
3. Copy of date-stamped postcard filed on June 22, 2000; and
4. One (1) return postcard.

The Commissioner is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 50-0622.

Respectfully submitted,

SHANKS & HERBERT

By:


Joseph G. Contrera
Reg. No. 44,628

JGC/km
Enclosures

West Coast Office

4350 La Jolla Village Drive, Suite 330, San Diego, Ca 92122
Telephone: (858) 597-6688 Facsimile: (858) 597-6682



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of: Harrington *et al.*

Appl. No: 09/513,997

Filed: February 25, 2000

For: **Compositions and Methods for Non-Targeted Activation of Endogenous Genes**

Art Unit: 1632

Examiner: Shukla, R.

Atty. Docket: 0221-0003Q

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**Revocation In-Part of Document Filed June 22, 2000,
entitled "Revocation of Prior Power of Attorney
and Appointment of New Attorneys of Record"**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

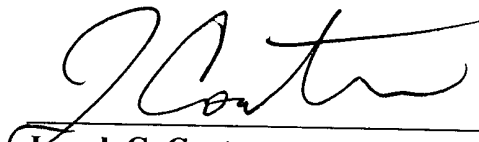
On June 22, 2000, the assignee, Athersys, Inc., of the above-identified patent application filed a document entitled "Revocation of Prior Power of Attorney and Appointment of New Attorneys of Record." A copy of the document and its date-stamped postcard is attached hereto. In that document, the assignee provided attorneys of the law firm of Shanks & Herbert and attorney Anne Brown (Reg. No. 36,463) of Athersys, Inc. with the power to "transact all business in the United States Patent and Trademark Office" connected with the above-identified patent application. Relying on this document, attorneys of the law firm of Shanks & Herbert *and* Ms. Brown of Athersys, Inc. have requested that certain fees associated with the prosecution of the above-identified patent application be deducted from Deposit Account No. 50-0622 (the deposit account number of the law firm of Shanks & Herbert).

With the filing of this document entitled "Revocation In-Part of Document Filed June 22, 2000 entitled 'Revocation of Prior Power of Attorney and Appointment of New

Attorneys of Record," the attorneys of Shanks & Herbert revoke Ms. Brown's access to Deposit Account No. 50-0622, if authorization was ever directly given or indirectly implied. Ms. Brown retains a Power of Attorney in the above-identified patent application such that she is able to file documents at the U.S. Patent & Trademark Office and obtain information regarding this application from the U.S. Patent & Trademark Office. However, since Ms. Brown is not an attorney with the law firm of Shanks & Herbert, she is not authorized to charge Deposit Account No. 50-0622.

Respectfully submitted,

SHANKS & HERBERT



Joseph G. Contrera
Reg. No. 44,628

Date: 3/7/02

TransPotomac Plaza
1033 N. Fairfax Street
Suite 306
Alexandria, VA 22314

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

John J. Harrington, et al.

Serial No.: 09/513,997

Filed: February 26, 2000

For: Compositions and Methods for Non-Targeted Activation of Endogenous Genes



Art Unit: 1643

Examiner: Not Assigned

Atty. Docket: 0221-0003Q

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**REVOCATION OF PRIOR POWER OF ATTORNEY AND
APPOINTMENT OF NEW ATTORNEYS OF RECORD**

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Sir:

The undersigned, having express authority to represent Athersys, Inc. the assignee of the entire right, title, and interest in the above-identified application, hereby revokes all powers of attorney heretofore given in the above-identified application, and appoints as his attorneys Mark R. Shanks, Registration No. 33,781, Toni-Junell Herbert, Registration No. 34,348, David W. Woodward, Registration No. 35,020, Keith D. Hutchinson, Registration No. 43,687, Mark J. Pino, Registration No. 43,858, Deanna L. Baxam, Registration No. 45,266, Joseph G. Contrera, Registration No. 44,628, Chalin A. Smith, Registration No. 41,569, Shelly Guest Cermak, Registration No. 39,571, Suzannah Sundby, Registration No. 43,172 all of SHANKS & HERBERT, telephone (703) 683-3600, TransPotomac Plaza, 1033 N. Fairfax Street, Suite 306, Alexandria, VA 22314 and Anne Brown, Registration No. 36,463 of Athersys, Inc. with full power of substitution,

association, and revocation, to prosecute said application and to transact all business in the United States Patent and Trademark Office connected therewith.

FOR: Athersys, Inc
SIGNATURE: James J. Kovach
BY: James J. Kovach
TITLE: Executive V.P. & COO
DATE: 6/19/00



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Applicant: John J. Harrington, et al.
App. Serial No: 09/515,997
Filed: February 26, 2000
Title: Compositions and Methods for Non-Targeted Activation of Endogenous Genes

Docket No.: 0221-0003
By: Suzannah S. Sady

When receipt stamp is placed hereon, the USPTO acknowledges receipt of the following:

1. Revocation of Prior Power of Attorney and Appointment of New Attorneys of Record;
2. Notification Re Change for Correspondence and Telephone Contact; and
3. One (1) Postcard

